

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

Inventor(s): Curtis Reese

Application No.: 10/635,819

Filing Date: August 6, 2003

PATENT APPLICATION

ATTORNEY DOCKET NO. 200206815-1

Confirmation No.: 7699

Examiner: Steven Y. Kau

Group Art Unit: 2625

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JUL 10 2007

Title: METHODS AND APPARATUS UTILIZING EMBEDDED DATA LAYERS

Mail Stop Amendment
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Transmitted herewith is/are the following in the above-identified application:

- ☒ Response/Amendment
☐ New fee as calculated below
☒ No additional fee
☐ Other

- ☐ Petition to extend time to respond
☐ Supplemental Declaration

Fee\$

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS		MINUS		= 0	X \$52	\$ 0
INDEP. CLAIMS		MINUS		= 0	X \$210	\$ 0
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$370	\$ 0
EXTENSION FEE	<input type="checkbox"/> 1st Month \$120	<input type="checkbox"/> 2nd Month \$460	<input type="checkbox"/> 3rd Month \$1050	<input type="checkbox"/> 4th Month \$1640		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

- ☒ A duplicate copy of this transmittal letter is enclosed.

I hereby certify that this paper is being
transmitted to the Patent and Trademark Office
facsimile number (571) 273-8300.
Date of facsimile: July 10, 2007

Typed Name: Charlene M. Pugh

Signature: 

Respectfully submitted,

Curtis Reese

By 

Andrew C. Walseth

Attorney/Agent for Applicant(s)

Reg No.: 43,234

Date: July 10, 2007

Telephone: (612) 312-2200

Rev 10/06 (TransAmndFax)

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TOTAL CLAIMS		MINUS		= 0	X \$52	\$ 0
INDEP. CLAIMS		MINUS		= 0	X \$210	\$ 0
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$370	\$ 0
EXTENSION FEE	<input type="checkbox"/> 1st Month \$120	<input type="checkbox"/> 2nd Month \$480	<input type="checkbox"/> 3rd Month \$1050	<input type="checkbox"/> 4th Month \$1640		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

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Respectfully submitted,

Curtis Reese

By 

Andrew C. Walseth

Attorney/Agent for Applicant(s)

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Rev 10/06 (TransAndFax)

First Named Inventor	Curtis Reese	RESPONSE TO RESTRICTION REQUIREMENT
Serial No.	10/635,819	
Filing Date	August 6, 2003	
Group Art Unit	2625	
Examiner Name	Steven Y. Kau	
Confirmation No.	7699	
Attorney Docket No.	200206815-1	
Title: METHODS AND APPARATUS UTILIZING EMBEDDED DATA LAYERS		

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In response to the Restriction Requirement mailed June 12, 2007, Applicant elects Species I, claims 1-16 for prosecution with traverse. Claims to be restricted to different species must be mutually exclusive. MPEP § 806.04(f). The general test as to when claims are restricted, respectively, to different species is the fact that one claim recites limitations which under the disclosure are found in a first species but not in a second, while a second claim recites limitations disclosed only for the second species and not the first. *Id.* Applicant respectfully contends that claim 6 is not mutually exclusive to claims 17-20 of Species 2. In particular, Applicant notes that the limitations of independent method claim 6 are incorporated in the computer-readable instructions stored on the computer usable medium of claim 17. Therefore, in accordance with MPEP § 806.04(f), Applicant contends that it is also entitled to examination of these claims as their restriction from the claims of Species 1 is improper.

In view of the above, Applicant contends that it is entitled to examination of claims 1-20, as claims of the various species identified by the Examiner, although directed to subject matter of different scope, contain common subject matter and are therefore not mutually exclusive.

RESPONSE TO RESTRICTION REQUIREMENT

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Serial No. 10/635,819

Attorney Docket No. 130.085US01


Title: METHODS AND APPARATUS UTILIZING EMBEDDED DATA LAYERS

The Examiner is invited to contact Applicant's Representative at (612) 312-2207 if there are any questions regarding this Response or if prosecution of this application may be assisted thereby.

Respectfully submitted,

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Date: 7/10/07
Andrew C. Walseth
Reg. No. 43,234

Attorneys for Applicant
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